

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 13-00055-SWH-1
)	
RICHARD DOUGHERTY,)	
)	
Defendant.)	

**MOTION OF THE UNITED STATES FOR DISMISSAL OF THE COMPLAINT
WITHOUT PREJUDICE,
WITH SUPPORTING SUGGESTIONS AND ORDER**

The United States of America, by its undersigned counsel, respectfully submits its Motion Dismissal of the Complaint Without Prejudice, in the above-entitled case for the reasons set forth in the following supporting suggestions and Order:

SUPPORTING SUGGESTIONS

1. On March 28, 2013, the United States filed a Complaint against defendant Dougherty alleging that Dougherty had committed the offense of structuring to avoid a financial institution's duty to file reports, in a violation of 31 U.S.C. § 5324.
2. The investigation of this case continues, however, the case is somewhat complex and not all of the records sought could be gathered within the 30-day "arrest-to-indictment" rule contained in 18 U.S.C. § 3161(b). However, if the Complaint is dismissed before the expiration of the 30-day clock then the Speedy Trial Act's time limits begin anew upon the filing of a new compliant or an indictment. 18 U.S.C. § 3161(d)(1).
3. Consequently, the United States requests that the Complaint filed in this case be dismissed immediately.

WHEREFORE, the United States respectfully requests that this Court enter an order dismissing the Complaint filed in this case without prejudice..

Respectfully submitted,

Tammy Dickinson
United States Attorney

By

/s/ James Curt Bohling
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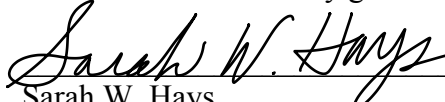
CERTIFICATE OF SERVICE

I hereby certify that on April 26, 2013, the foregoing motion was electronically filed with the Clerk of the Court using the CM/ECF system for electronic delivery to all counsel of record.

/s/ James Curt Bohling
James Curt Bohling
Assistant United States Attorney

ORDER DISMISSING COMPLAINT WITHOUT PREJUDICE

For the reasons set forth in the Motion, the United States' Motion to Dismiss the Complaint Without Prejudice in Case 13-MJ-00055-SWH-1 is hereby granted.



Sarah W. Hays
United States Magistrate Judge

Dated: April 26, 2013